

THE PROCTORS' OFFICE

University Offices, Wellington Square, Oxford OX1 2JD
From the Senior Proctor



Confidential

Mr Kevin Galalae

27 July 2009

By email: kgalalae@hotmail.com

Ref. SP/SPROCTOR/galalae

Dear Mr Galalae,

Complaint about removal from online Political Philosophy course

I have considered your complaint about your removal from this course for a breach of the online netiquette rules, as set out in your email to Dr Gasser dated 4 July 2009. The Department of Continuing Education has its own disciplinary regulations – Regulations 1 of 2007, available on the Department's website at:

<http://www.conted.ox.ac.uk/studentssupport/PDF%20Files/departamental%20regulations.pdf>

I have therefore focused on whether the Department has correctly followed these regulations in your case.

Initially it appears that this was done. The incident was reported to the relevant Deputy Director, Mr Healy, who reviewed the available evidence (Clause 7a). Since the decision before him was whether to confirm the decision to exclude a student who had already been suspended, he was acting within his authority in taking this decision himself (Clause 7b). In reaching his decision he took note of Clause 6 of the Terms and Conditions for Public Programmes (see http://www.conted.ox.ac.uk/courses/terms_and_conditions.php?d=4), which gives the course organizers the right to enforce removal of any delegate whose behaviour or demeanour is considered unacceptable.

However, when you appealed against Mr Healy's decision, he took the view that this should be treated as a complaint and therefore handled under a different set of procedures, allowing the Department's Director, Professor Michie, to act alone in reaching a decision. While I understand the thinking behind this approach, it would have been more appropriate to continue to follow the disciplinary regulations, Clause 7c. This clause requires the Director to ask the Secretary to the Continuing Education Board to convene a three-person Disciplinary Panel to consider the matter.

I have therefore decided that the Department has not followed appropriate procedure in considering your appeal and that it should now do so by convening a Disciplinary Panel. The membership should accord with Clause 8 of the Regulations, except that the Secretary of the Continuing Education Board should nominate a substitute with no prior involvement in the case in place of Professor Michie, who has already considered your case. The conduct of the panel



should follow Clause 9 of the Regulations which, you will see, gives the student the opportunity to submit materials in defence or mitigation.

The hearing of the appeal by the Disciplinary Panel will constitute the final stage in the University's disciplinary process, after which no further internal appeal procedures would be available to you.

With regard to your request for disclosure of further documents related to your case, please refer these to the Department of Continuing Education.

Yours sincerely

Professor Martin S Williams
Senior Proctor

cc: Professor J Michie, Department of Continuing Education
Mr P Healy, Department of Continuing Education
Dr P Gambles, Secretary of the Board of Continuing Education